



PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: POUSTKA-2

In re Application of:	)
ANNEMARIE POUSTKA et al.	)
Serial No.: 09/880,688	)
Filed: June 13, 2001	)
For: METHOD AND DEVICES FOR APPLYING SUBSTANCES TO A SUPPORT, ESPECIALLY MONOMERS FOR THE COMBINATORIAL SYNTHESIS OF MOLECULE LIBRARIES	) Group Art Unit: 1641

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE  
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

U.S. Patent and Trademark Office  
Box Sequence  
P.O. Box 2327  
Arlington, VA 22202

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on December 23, 2002.

(Date)

URSULA B. DAY  
(Name of Registered Representative)

Ursula Day Dec 23 2002

Signature Date of Signature

SIR :

This communication is in response to the Official Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, dated October 3, 2002, having a shortened period for response terminating December 3, 2002.

12/31/2002 MBLANCO 00000013 060502 09880688

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The Commissioner is hereby petitioned to extend the period for response to above-referenced Official Action by ONE month until January 3, 2003.

- [ ] Accompanying this amendment is the appropriate fee of \$      pursuant to 37 C.F.R. §1.17(c) and 37 C.F.R. §1.136(a).
- [X] The Commissioner is hereby authorized to charge the appropriate fee of \$55.00 pursuant to 37 C.F.R. §1.17(c) and 37 C.F.R. §1.136(a) and any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.
- [X] The Commissioner is hereby also authorized to charge any fees which may be required during the pendency of this application, including any patent application processing fees under 37 C.F.R. 1.17, and any filing fees under 37 C.F.R. 1.16, including presentation of extra claims, or credit any overpayment to Deposit Account No: 06-0502.

Please amend this application as follows:

**CLEAN VERSION OF REPLACEMENT PARAGRAPHS IN SPECIFICATION:**

Replace present paragraphs [067] and [0103] with new paragraphs [067] and [0103] as follows:

[067]-- So-called complete peptide libraries are explained in FIG. 15. Each locally precisely defined spot of an array of such a complete peptide library represents a peptide mixture which only carries a different in each case, defined sequence at the sites per spot denoted by Z. The reason for working with this peptide mixture is that in an antibody-peptide antigen reaction the recognised peptide antigen requires a certain size so that it can be specifically recognised by the antibody. However, since at the present state of technological development it is not possible to produce a complete decapeptide library with  $20^{10}$  different members, said mixtures are used.--

[0103] --FIG. 15: Complete peptide libraries

Arrays of decamer mixtures shown can be synthesised on a support with the aid of the method described above. All possible combinations of amino acids denoted by Z are covered by the array.--;

**VERSION WITH MARKINGS TO SHOW CHANGES MADE:**

**IN THE SPECIFICATION:**

Replace present paragraphs [067] and [0103] with new paragraphs [067] and [0103] as follows:

[067]-- So-called complete peptide libraries are explained in FIG. 15. Each locally precisely defined spot of an array of such a complete peptide library represents a

peptide mixture which only carries a different in each case, defined sequence at the sites per spot denoted by  $[N] \geq$ . The reason for working with this peptide mixture is that in an antibody-peptide antigen reaction the recognised peptide antigen requires a certain size so that it can be specifically recognised by the antibody. However, since at the present state of technological development it is not possible to produce a complete decapeptide library with  $20^{10}$  different members, said mixtures are used.--

**[0103] --FIG. 15: Complete peptide libraries**

Arrays of decamer mixtures shown can be synthesised on a support with the aid of the method described above. All possible combinations of amino acids denoted by  $[N] \geq$  are covered by the array.--;

Amend the specification by adding at the end of page 47 the heading:

--Sequence Listing--;

Insert the sequence listing provided herewith in CRF form;

**IN THE DRAWING.**

Amend the drawings by replacing the current FIG. 15, with Fig. 15 showing the changes red ink.

**REMARKS**

On October 3, 2002, a Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures was sent by the Office replacing a previous one. The Notice did not

provide any guidance as what was required in the application and Applicant consulted both the examiner and the Rules Interpretation personnel to learn what was considered lacking in the application. Applicant objects to this kind of "Notice" since no actual notice was provided. This type of Notice is time consuming and cumbersome and does not appear to lead to apparent disclosure of relevant material. Notwithstanding applicant's objection, applicant attempted to fulfill the "requirement" in as best a manner as possible under the circumstances.

Submitted herewith is a Sequence Listing in response to the requirement as stated in the Official Action of October 3, 2002. Entry of the above amendment is respectfully requested. The Sequence Listing refers to the protein sequence as shown in Figure 20. No previous sequence listing was submitted. However, the Office saw it as required to provide a sequence listing since more than 4 amino acids are shown in Figure 20. Applicant hereby states that the content of the sequence listing information recorded in computer readable form is identical to the sequence shown in the drawings as originally filed in the application and includes no new matter. A hard copy together with a diskette on which the Sequence Listing is provided in CRF form is enclosed. A copy of the notice is also enclosed. The specification was amended commensurate with the introduction of the sequence listing.

Applicant has also amended Figure 15, changing the letter N to the letter Z to avoid that the letter N be read as the 1-letter code for the amino acid asparagine. The specification was likewise amended to correspond to the changed drawings. The amendments are self-explanatory.

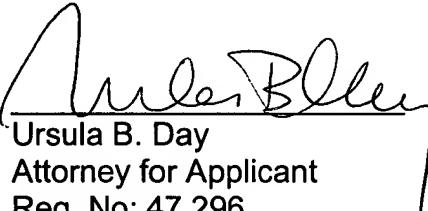
Since the required Sequence Listing has now been provided and the amended drawings are submitted herewith, all outstanding requirements in the Official Action has been complied with, early action on the merits is respectfully requested.

Should any further corrections be necessary the undersigned respectfully requests notification by phone.

The Commissioner is hereby authorized to charge fees, which may be required, or credit any overpayment to Deposit Account No. 06-0502.

Respectfully submitted,

By:

  
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